

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**Plaintiff / Petitioner:**

WILMINGTON TRUST, N.A., as Securities Intermediary

**Defendant / Respondent:**

HERMAN SEGAL

STATE OF NEW YORK )

COUNTY OF NASSAU )

)SS:

**AFFIDAVIT OF SERVICE**

Case 1:21-cv-01540-PKC-VMS

Date Filed: March 23, 2021

The undersigned being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides in New York State. That on Mon, May 24 2021 AT 08:03 AM AT 1535 EAST 17TH STREET APT. 4R, BROOKLYN, NY 11230 deponent served the within SUMMONS IN A CIVIL ACTION and COMPLAINT with EXHIBITS bearing INDEX# Case 1:21-cv-01540-PKC-VMS and a date of filing of March 23, 2021 upon HERMAN SEGAL defendant therein named.

- ☐ **Individual:** by delivering a true copy of each to said defendant, personally; deponent knew the person so served to be the person described as said defendant therein.
- ☐ **Corporation:** a defendant, therein named, by delivering a true copy of each to \_\_\_\_\_ personally, deponent knew said corporation so served to be the corporation described, and knew said individual to be thereof.
- ☐ **Suitable Person:** by delivering thereat, a true copy of each to \_\_\_\_\_ a person of suitable age and discretion.
- ☒ **Affixing to Door:** by affixing a true copy of each to the door thereof, deponent was unable with due diligence to find defendant, or a person of suitable age or discretion thereat, having called thereon; at  
1) 03/25/2021 @ 09:31 PM 2) 03/26/2021 @ 11:45 AM 3) 03/31/2021 @ 07:05 AM 4) 05/12/2021 @ 09:37 AM 5) 05/13/2021 @ 09:00 PM 6) 05/21/2021 @ 03:09 PM 7) 05/24/2021 @ 08:03 AM
- ☒ **Mailing:** Deponent also enclosed a copy of same, in a postpaid sealed wrapper marked personal and confidential properly addressed to said defendant at defendant's last known residence, 1535 EAST 17TH STREET APT. 4R, BROOKLYN, NY 11230, to be mailed by first class mail and depositing said wrapper in a post office, official depository, under the exclusive care and custody of the United States Post Office department, with New York State. Mailed on 5-24-21.
- ☐ **Military Service:** I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. The source of my information and the ground of my belief are the conversations and observations narrated. Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

**Description:**

Age: \_\_\_\_\_ Skin Color: \_\_\_\_\_ Gender: \_\_\_\_\_ Weight: \_\_\_\_\_  
Height: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Other \_\_\_\_\_

Sworn to before me on 5-24-21

Nnamdi Erskine  
1376400-DCA

Notary Public

GINA MARIE EANNUCCI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01EA5075334  
Qualified in Nassau County 2023  
My Commission Expires March 31, 2025

Eastern District of New York

WILMINGTON TRUST, N.A.,  
as Securities Intermediary

Plaintiff(s)

V.

HERMAN SEGAL

Defendant(s)

Civil Action No. 21-cv-1540 PKC-VMS

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

HERMAN SEGAL  
4115 Quentin Rd  
Brooklyn, NY 11234

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Katherine A. Skeele  
Holland & Knight LLP  
31 West 52nd Street  
New York, NY 10019  
katherine.skeele@hklaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 3/24/2021



DOUGLAS C. PALMER  
CLERK OF COURT  
s/Kimberly Davis

*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: